## UNITED STATES DISTRICT COURT E-filing NORTHERN DISTRICT OF CALIFORNIA

WILLIE MAE LETT

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.
APEX FINANCIAL MANAGEMENT, LLC, and BRUCE ROBERT PASSEN

C07 02428

ay 1, 2001

TO:

Bruce Robert Passen Apex Financial Management, LLC 5 Revere Drive, Suite 415 Northbrook, Illinois 60062-1568

## YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY

Fred W. Schwinn, Esq. Consumer Law Center, Inc. 12 South First Street, Suite 416 San Jose, CA 95113-2404

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

RICHARD W. WIEKING

Betty/J. Walton

(BY) DEPUTY CLERK

CLERK

Case 5:07-cv-02428-PVT Document 4 Filed 05	/21/2007 Page 2 of 7 POS-010
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  — Fred W. Schwinn (SBN 225575)	FOR COURT USE ONLY
Consumer Law Center, Inc.	
12 South First Street, Suite 416	
San Jose, California 95113-2404	
TELEPHONE NO.: (408) 294-6100 FAX NO. (Optional): (408) 294-6190	
E-MAIL ADDRESS (Optional): fred.schwinn@sjconsumerlaw.com	
ATTORNEY FOR (Name): PLAINTIFF	
	-
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: UNITED STATES DISTRICT COURT FOR THE	
MAILING ADDRESS: NORTHERN DISTRICT OF CALIFORNIA	
CITY AND ZIP CODE: 280 South First Street, Room 2112	
BRANCH NAME: San Jose, California 95113	
PLAINTIFF/PETITIONER: WILLIE MAE LETT	CASE NUMBER:
	C07-02428-PVT
DEFENDANT/RESPONDENT: APEX FINANCIAL MANAGEMENT, LLC, et al.	
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:
(Separate proof of service is required for each party	( sangal )
At the time of service I was at least 18 years of age and not a party to this action.	36/Veu.)
I served copies of:	
a. X summons	
b. X complaint	
c. X Alternative Dispute Resolution (ADR) package	
d. Civil Case Cover Sheet (served in complex cases only)	
e. cross-complaint	
f.  other (specify documents): Order Setting Initial Case Management Conference; Standing	Order Regarding Case Management in Civil Cases;
Consent to Proceed Before a US Magistrate Judge; ECF Regis	
3. a. Party served (specify name of party as shown on documents served):	
Bruce Robert Passen	
b. Person (other than the party in item 3a) served on behalf of an entity or as an	
under item 5b on whom substituted service was made) (specify name and rel	анопѕтр to tne party named in item за).
Address where the party was served:	
5 Revere Drive, Suite 415	
Northbrook, IL 60062-1568	
5. I served the party (check proper box)	
a. <b>D</b> by personal service. I personally delivered the documents listed in item 2 to	the party or person authorized to
receive service of process for the party (1) on (date):	(2) at <i>(time)</i> :
b. by substituted service. On (date): at (time):	I left the documents listed in item 2 with o
in the presence of (name and title or relationship to person indicated in item 3,	<b>)</b> :
(1) (business) a person at least 18 years of age apparently in charge a	t the office or usual place of business
of the person to be served. I informed him or her of the general natu	
(2) (home) a competent member of the household (at least 18 years of	
place of abode of the party. I informed him or her of the general natu	_ :
(3) (physical address unknown) a person at least 18 years of age app	
address of the person to be served, other than a United States Post	
him or her of the general nature of the papers.	
(4) I thereafter mailed (by first-class, postage prepaid) copies of the doc	cuments to the person to be served
at the place where the copies were left (Code Civ. Proc., § 415.20).	
(date): from (city):	or a declaration of mailing is attached.
(5) attach a declaration of diligence stating actions taken first to atte	mpt personal service.
	Page 1 of 2

	Case 5:07-cv-02428-PVT. Document 4 Filed 05/21/2007 Page 3 of 7
	Case 5:07-cy-02428-PVT Document 4 Filed 05/21/2007 Page 3 of 7 PLAINTIFF/PETITIONER: WILLIE MAE LETT CASE NUMBER: C07-02428-PVT
	DEFENDANT/RESPONDENT: APEX FINANCIAL MANAGEMENT, LLC, et al.
5.	<ul> <li>by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,</li> <li>(1) on (date): May 8, 2007 (2) from (city): San Jose, California</li> <li>(3) with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30.)</li> <li>(4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)</li> <li>d. by other means (specify means of service and authorizing code section):</li> </ul>
	X Additional page describing service is attached.
6.	The "Notice to the Person Served" (on the summons) was completed as follows:  a.
7.	Person who served papers  a. Name: Fred W. Schwinn  b. Address: 12 South First Street, Suite 416, San Jose, CA 95113-2404  c. Telephone number: (408) 294-6100  d. The fee for service was: \$  e. I am:  (1)  not a registered California process server.  (2)  exempt from registration under Business and Professions Code section 22350(b).  (3)  registered California process server:  (i)  owner  employee  independent contractor.  (ii) Registration No.:  (iii) County:
8.	I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  or
9.	I am a California sheriff or marshal and I certify that the foregoing is true and correct.
Date	e: May 15, 2007
Fre	d W. Schwinn (SBN 225575)  (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)  (SIGNATURE)

SHORT TITLE: Case 5:07-cv-02428-PVT Document 4 Filed 05/21629 NUMBER: Page 4 of 7 LETT V. APEX FINANCIAL MANAGEMENT, LLC, et al. C07-02428-PVT

> U.S. Postal Service™ CERTIFIED MAILM RECEIPT H (Domestic Mail Only; No Insurance Coverage Provided) 7 Postage Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees See Reverse for Instructions

SENDED, COMPLETE TURO OF OFFICE				
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY			
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature  X			
1. Article Addressed to: Bruce Robert Passen Apex Financial Management	D. Is delivery address different from item 1?			
5 Revere Drive, Ste. 415	3. Service Type			
Northbrode, 1L	Certified Mail			
60062-1568	4. Restricted Delivery? (Extra Fee) ☐ Yes			
2. Article Number (Transfer from service labe 7005 3110	0000 4788 4312			
PS Form 3811, February 2004 Domestic Reti	urn Receipt 102595-02-M-1540			

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, not line numbers):

This page may be used with any Judicial Council form or any other paper filed with the court.

3 Page

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C:	ase 5:07-cv-02428-PVT	Document 4	Filed 05/2	21/2007	Page 5 of 7	POS-010
	OUT ATTORNEY (Name, State Bar number, and	address):			FOR COURT USE ONLY	
	in (SBN 225575)					
Consumer Law						
12 South First S						l
	mia 95113-2404	(400) 204 61	00			
TELEPHONE NO.: (408)		Optional): (408) 294-61	90			
E-MAIL ADDRESS (Optional):	fred.schwinn@sjconsu	meriaw.com				
	PLAINTIFF			ł		
SUPERIOR COURT	OF CALIFORNIA, COUNTY OF VITED STATES DISTRIC	т сопртеор ті	.IE			
STREET ADDRESS: UT	ORTHERN DISTRICT OF	CALIEODNIA	112	ļ		
	0 South First Street, Room					
CITY AND ZIP CODE: ∠o	n Jose, California 95113	2112				
PLAINTIFF/PETITIC		TT		ÇASE NUMBER:		
FLAINTIFF/FETTIK	MEN. WIELE WITE DE	* 1		C07-0242		
DEFENDANT/RESPON	NOENT: APEX FINANCIAL I	MANAGEMENT, LLC	`etal	00, 02.12	.0 1 1 1	
DEFENDANT/RESPON	DENT: ALEXITATION	MANAGEMENT, EDC	, ot ui.			
				Ref. No. or File N		
	PROOF OF SERVICE OF S	UMMONS				
				<u> </u>		
		of service is required for		ierved.)		
	ice I was at least 18 years of age	and not a party to this	action.			
2. I served copies of:						
a. X summons						
b. X complaint	e Dispute Resolution (ADR) pacl	kaga				
	e Dispute Resolution (ADR) pace e Cover Sheet (served in comple:					
e. cross-com	-	v cases only)				
	ecify documents) : Order Setting Init	ial Case Management Confe	rence: Standing C	order Regarding	Case Management in Civ	il Cases:
i. 221 outer tope	•	ed Before a US Magistrate Ju				·- · · · · · · · · · · · · · · ·
s. a. Party served	(specify name of party as shown	-	-			
Bruce Robe		,				
b. Person (d	other than the party in item 3a) s	erved on behalf of an e	entity or as an	authorized ag	jent (and not a perso	n
under ite	m 5b on whom substituted service	ce was made) (specify r	name and relat	tionship to the	e party named in iten	n 3a):
. Address where the						
1080 Meadowb						
Deerfield, IL 6						
i. I served the party (		1 4 1	l : :1 2 4 a 4 b		authorized to	
	nal service. I personally delivere		in item 2 to th		t (time) :	
	ervice of process for the party (1)	•			เ ( <i>แกษ) .</i> documents listed in it	tom 2 with or
	<b>tuted service</b> . On (date) : sence of (name and title or relation	at (time)			accuments usted in it	.em z wiin or
in the pres	sence of frame and the or relate	этэнір ю регоон інака	teu iii iteiii 3).			
(1)	(business) a person at least 18	vears of age apparently	v in charge at '	the office or t	usual place of busine	:SS
	of the person to be served. I info					
	(home) a competent member of		_			I
• • • • • • • • • • • • • • • • • • • •	place of abode of the party. I info		_	-		
	(physical address unknown) a					ng
	address of the person to be serv					
	him or her of the general nature			•		
	I thereafter mailed (by first-class		es of the docu	ments to the	person to be served	
` · · <del></del>	at the place where the copies we					
	•	(city):	- ,		eclaration of mailing i	is attached.
	l attach a declaration of diligen	•	n first to attem		_	
orm Adopted for Mandatory Use	BBO	OF OF SERVICE OF S	IIMMONE		Code of Civil E	Page 1 of 2 Procedure, § 417.10
OTHER PROPERTY OF INITIALITY OF THE	FRUI	シェンド ひにいりいじ ひじるり	CITITICITO		2240 01 011111	

П	Case 5:07-cy-02428-PVT Document 4 Filed 05/21/2007 Page 6 of 7			
	C07-02428-PVT			
DEFE	NDANT/RESPONDENT: APEX FINANCIAL MANAGEMENT, LLC, et al.			
5. c. [ d. [	by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,  (1) on (date): May 8, 2007  (2) from (city): San Jose, California  (3) with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30.)  (4) to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)  by other means (specify means of service and authorizing code section):			
[	X Additional page describing service is attached.			
6. The	"Notice to the Person Served" (on the summons) was completed as follows:			
a. [ b. [	as an individual defendant. as the person sued under the fictitious name of (specify):			
c. [	as occupant.			
d. [	On behalf of (specify): under the following Code of Civil Procedure section:			
	416.10 (corporation) 415.95 (business organization, form unknown)			
	416.20 (defunct corporation) 416.60 (minor) 416.30 (joint stock company/association) 416.70 (ward or conservatee)			
	416.40 (association or partnership) 416.90 (authorized person)			
	416.50 (public entity) 415.46 (occupant) other:			
a. N	Name: Fred W. Schwinn Address: 12 South First Street, Suite 416, San Jose, CA 95113-2404			
c. 7	Felephone number: $(408)\ 294\text{-}6100$ The fee for service was: \$			
	am: 1)  not a registered California process server.			
(	2) 🔯 exempt from registration under Business and Professions Code section 22350(b).			
(	<ul> <li>3) registered California process server:</li> <li>(i) owner employee independent contractor.</li> </ul>			
	(ii) Registration No.:			
• 57	(iii) County:			
	i declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. or			
9.	I am a California sheriff or marshal and I certify that the foregoing is true and correct.			
Date: May 15, 2007				
Date. IVI	M			
Fred W	Schwinn (SBN 225575)			
	NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL) (SIGNATURE)			

MC-020 SHORT TITLE: Case 5:07-cv-02428-PVT Document 4 Filed 05/21/2000 MBER Page 7 of 7 C07-02428-PVT LETT V. APEX FINANCIAL MANAGEMENT, LLC, et al. 1 2 3 U.S. Postal Service™ CERTIFIED MAIL. RECEIPT U (Domestic Mail Only; No Insurance Coverage Provided) ΕĦ 中 40 6 0000 Certified Fee 2007 Postmark Return Receipt Fee Endorsement Required) 8 3110 Restricted Delivery Fee 3.伦勒非 Endorsement Required) . 558 9 \$7.28 Total Postage & Fees m 10 11 or PO Box No. City, State, 12 See Reverse for Instruction: PS Form 3800, June 2002 13 14 SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY 15 A. Signature ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. □ Agent 16 Print your name and address on the reverse ☐ Addressee so that we can return the card to you. B. Received by (Printed Name) C. Date of Delivery 17 Attach this card to the back of the mailpiece, For on the front if space permits. D. Is delivery address different from item 1? ☐ Yes 18 1. Article Addressed to: If YES, enter delivery address below: 19 1080 Meadowbrookln Deerfield, IL 20 3. Service Type 21 Certified Mail ☐ Express Mall ☐ Return Receipt for Merchandise ☐ Registered 22

2. Article Number (Transfer from service label)

PS Form 3811, February 2004

COO(5-3459

Registered Registered Return Receipt for Merchandise Registered Results Feel Registered Results Feel Registered Results Receipt Receipt for Merchandise Results Results Receipt Receipt Receipt Receipt Receipt Receipt Receipt Receipt 102595-02-M-1540

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, **not** line numbers):

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